

**Minutes**  
Town of Oshkosh

**Town Board Meeting – SEPTEMBER 27, 2010 - 6:00 p.m. – Town Hall**

PRESENT: Chairman Gerald Frey, Supervisor Carol Kaufmann, Supervisor Jim Erdman, Treasurer Maribeth Gabert, Clerk Jeannette Merten and audience of 12.

Chairman Frey called meeting to order at 6:01 p.m.

**MOTION BY ERDMAN, KAUFMANN SECONDED, TO APPROVE MINUTES DATED SEPTEMBER 13, 2010 AS PRESENTED. ROLL CALL. MOTION CARRIED.**

**Public Participation:**

Mark Conradt, 5195 Killdeer Lane, wanted to know if the board has asked for or is planning to get resident input on the Killdeer culvert replacement project. Conradt asked if the board would be open to hold up this project for a period of time. Chairman Frey said that they looked into the possibility of a bridge but it doesn't meet requirement for a bridge, and there is no state aids. The County is going to pick-up 50% of the cost of the culvert. Frey will give Bill Demler, County Highway Dept, a call and get the cost estimate from him. Size and cost information will be given to Mark Conradt. Subject is to be on the next town board meeting agenda.

Edward VanBelken, 5121 Killdeer Lane, asked why there is a chain on the end of Indian Pt. Rd. He claims the sign posted reads no boats or canoes launching. The board asked to have this topic on the next meeting agenda to discuss it further.

Officer Jason Ripple with the Winnebago County Sherriff's Department was in attendance.

**Planning and Zoning:**

**Building Inspector report.**

Dave Frank, Town Building Inspector, nothing new to report.

**Amendment to Lee Boyd Certified Survey Map.**

Boyd was in attendance and told the board that they had to remove his wife's name is a reason for change.

**MOTION MADE BY ERDMAN, KAUFMANN SECONDED, TO APPROVE THE AMENDMENT CERTIFIED SURVEY MAP OF LEE BOYD. MOTION CARRIED.**

**Conditional Use Permit request of Grundy Quarry.**

**MOTION MADE BY ERDMAN, KAUFMANN SECONDED, TO APPROVE THE CONDITIONAL USE PERMIT REQUEST OF GRUNDY QUARRY. ROLL CALL. ERDMAN, YES; FREY, YES; KAUFMANN, YES. MOTION CARRIED.**

**P&Z Land Use Plan Amendments by Winnebago County.**

Chuck Farrey was in to speak saying that there is a concern about section 22.09 in green ink; the wordage. Town of Vinland had a problem with it and is asking for Winnebago County to delay a decision for 30-days.

Cities still have sub-division authority that didn't change, the new law removed city authority on extra-territorial zoning.

**MOTION MADE BY ERDMAN, KAUFMANN SECONDED, TO REQUEST A 30-DAY DELAY OF A WINNEBAGO COUNTY DECISION PENDING REVIEW OF THE P&Z LAND USE PLAN AMENDMENTS BY WINNEBAGO COUNTY. ROLL CALL. KAUFMANN, YES; ERDMAN, YES; FREY, YES. MOTION CARRIED.**

**Unfinished Business:**

**Fireworks City, exceptions/exclusions to their fireworks permit and/or modify the town fireworks ordinance.**

Andy Nelson, with Fireworks City, was in attendance.

**ERDMAN MADE A MOTION, FREY SECOND, TO RESTRICTION PERMITS ISSUED TO ONE PER 3500 POPULATION. MOTION CARRIED.**

**ERDMAN RECINDED HIS PRIOR MOTION, FREY SECONDED. MOTION CARRIED.**

There were questions on how it should be worded and where to place it in the ordinance. Clerk Merten will talk to the town attorney John St. Peter to get his advice about an ordinance changed. Subject will be on the next town board meeting agenda.

**Complaint of barking dog compliant at 5162 Island View Drive.**

Chairman Frey checked with the neighbor who signed a paper for Thorfinson that the dog barks. The neighbor, Seller, said they would have never, ever signed it if they knew it would come down to going to court.

**MOTION MADE BY KAUFMANN, ERDMAN SECONDED, TO APPROVE A STATEMENT IN THE CASE OF EVIDENCE THAT MAUREEN FITZGERLD-THORFINSON HAS PROVIDED ABOUT (NEIGHBOR) COWIE'S DOG BARKING AS A NUSIANCE DOES**

**NOT CONSTITUTE A CITIATION TO BE ISSUED BY THE TOWN TO COWIE. ROLL CALL. FREY, YES; KAUFMANN, YES; ERDMAN, YES. MOTION CARRIED.**

**Town Ordinance Amendment; dogs/animals, section 7-1-6 C and dog license application amendment for dogs.**

No action made by board.

**New Business:**

**Approve Renewal of Farm Lease Agreement with Todd Devons.**

**MOTION MADE BY FREY, KAUFMANN SECONDED, TO APPROVE THE RENEWAL AGREEMENT FOR A FARM LEASE REMOVING THE "OPTION TO RENEW" SECTION OF THE AGREEMENT WITH TODD DEVONS. ROLL CALL. FREY, YES; ERDMAN, YES; KAUFMANN, YES. MOTION CARRIED.**

Kenneth and MaryAnn Walters will present a lease for the next meeting for the board to review and approve.

**Hire a surveyor to execute the vacation of Norton Ave. highway entrance.**

**MOTION MADE BY FREY, ERDMAN SECONDED, TO HIRE BILL FRUEH TO SURVEY THE AREA NEEDED FOR THE NORTON AVE HIGHWAY ENTRANCE VACATION PROJECT. ROLL CALL. KAUFMANN, YES; FREY, YES; ERDMAN, YES. MOTION CARRIED.**

**Town Board meeting fall/winter hours; change to 6:00 p.m.**

**MOTION MADE BY KAUFMANN, FREY SECONDED, TO APPROVE CHANGING TOWN BOARD MEETING TIME MAKING FALL/WINTER HOURS TO 6:00 P.M. ROLL CALL. FREY, YES; KAUFMANN, YES; ERDMAN, YES. MOTION CARRIED.**

**KAUFMANN MADE THE MOTION, FREY SECONDED, TO RECIND THE PRIOR MOTION ABOUT TOWN BOARD MEETING FALL/WINTER HOURS. MOTION CARRIED.**

**KAUFMANN MADE THE MOTION, FREY SECONDED, TO APPROVE TOWN BOARD MEETING FALL/WINTER HOURS BEGINNING AT 6:00 P.M., WHICH WOULD BE OCTOBER THROUGH MARCH, AND SUMMER HOURS BEGINNING AT 7:00 P.M., WHICH WOULD BE APRIL TO SEPTEMBER. ROLL CALL. FREY, YES; KAUFMANN, YES; ERDMAN, YES. MOTION CARRIED.**

**Approve Operator License application of Jodie Gazzana.**

**MOTION MADE BY KAUFMANN, ERDMAN SECONDED, TO APPROVE THE OPERATOR LICENSE APPLICANT OF JODIE GAZZANA. ROLL CALL. ERDMAN, YES; KAUFMANN, YES; FREY, YES. MOTION CARRIED.**

**Forthcoming Events of public interest:**

Board went through a list of meetings they plan to attend in the next couple of weeks.

**Correspondence:**

1. WI Dept of Revenue; 2011 Shared Revenue.
2. WI Dept of Revenue; 2010 Shared Revenue payment.
3. WI Dept of Commerce; Conditional Approval of Valley Pest Control.
4. Winnebago Co; Galow variance request granted.
5. WI Dept of Revenue; Allowable vs Actual Dept by Municipality.
6. Winnebago Co; proceedings to foreclose tax liens.
7. Winnebago Co Zoning Dept; No documents for October public hearings.
8. WI Dept of Transp; 2011 Transportation Aids Estimate.

Correspondence provide to board at meeting:

1. Email from Clyde Holmes re: Killdeer culvert.

**MOTION TO PAY BILLS AS PRESENTED BY KAUFMANN, FREY SECONDED. MOTION CARRIED.**

**MOTION MADE BY KAUFMANN, SECONDED BY FREY, TO ADJOURN. MOTION CARRIED.**

Meeting adjourned at 8:13 p.m.

X

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Jeannette Merten  
Town of Oshkosh Clerk